

THOMAS, THOMAS & HAFER, LLP  
By: James J. Dodd-o, Esquire  
Attorney Identification No. 44678  
3101 Emrick Boulevard  
Suite 310  
Bethlehem, PA 18020  
(610) 332-7000  
Attorneys for Defendant:

Mark T. Renehan

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IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF PENNSYLVANIA

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DANIEL ALLEN BYRAM, :  
Administrator of the Estate and :  
Natural Father of JOHNATHON :  
BYRAM, deceased, :  
Plaintiff :

vs. :

MARK T. RENEHAN, :  
THOMAS (a/k/a TODD) S. RENEHAN, :  
BETH L. RENEHAN, JAMES RENEHAN, :  
PATRICIA RENEHAN, and :  
JOSEPH CONNORS, JR., :  
Defendants :

NO.: 3:10-CV-00593

HONORABLE A. RICHARD CAPUTO

JURY TRIAL DEMANDED BY  
A JURY OF TWELVE PERSONS

DEFENDANT MARK T. RENEHAN'S MOTION FOR PROTECTIVE ORDER

AND NOW COMES, Defendant Mark T. Renehan, by and through his attorneys, Thomas, Thomas & Hafer, LLP, and files this Motion for Protective Order pursuant to Fed.R.Civ.P. 26(c), and in support thereof, avers as follows:

1. On Monday, June 13, 2011 at 12:24 p.m., counsel for Plaintiff forwarded correspondence to all counsel for Defendants (including the undersigned counsel for Mark T. Renehan) inquiring as to availability for depositions for the week of June 27, 2011; June 24, 25, and 26, 2011; and July 2, 3, 5, 6, and 11, 2011.

2. Four minutes after receipt of the above email, the undersigned, as counsel for Mark T. Renehan, responded to Attorney

Foley, noting unavailability during the week of June 27, 2011, but indicating availability on July 2, 3, 6, and 11, 2011.

3. Notwithstanding the above, on Wednesday, June 15, 2011, counsel for Plaintiff scheduled the deposition of Mark T. Renehan for June 30, 2011, with full knowledge that the undersigned counsel was not available on that date.

4. Prior to the above, counsel for all parties had worked together and had tentatively scheduled depositions for May 5 and 6, 2011, per the request of Plaintiff's counsel.

5. On May 2, 2011, counsel for Plaintiff contacted all parties and indicated he did not want to go forward with any depositions until an Order was received as to Plaintiff's Motion to Compel depositions and property inspection and videotaping.

6. In said email correspondence, counsel for Plaintiff requested from all parties dates for depositions in July, 2011.

7. In response thereto, undersigned counsel had provided additional dates in July for depositions.

8. Subsequent to the above, counsel for Plaintiff went forward with the inspection and videotaping of the properties on May 28, 2011.

9. Despite the fact Plaintiff's counsel had been provided timely available dates for the deposition of Mark T. Renehan, Plaintiff counsel has unilaterally chosen to move forward with Mark T. Renehan's deposition on a date Plaintiff counsel was aware the undersigned counsel would be unavailable.

10. The undersigned counsel will be out of the country the week of June 27, 2011.

11. Fed.R.Civ.P. 26(c) permits this Court for good cause shown to issue an Order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense by specifying the terms, including time and place, for discovery.

12. It is respectfully requested that this Honorable Court enter a Protective Order with regard to the Notice of Deposition for Mark T. Renehan pursuant to Fed.R.Civ.P. 26(c) for the reasons set forth herein.

13. Counsel for Moving Defendant has made a reasonable and good faith effort to resolve this issue with Plaintiff's counsel without seeking Court intervention but has been unable to resolve this dispute.

WHEREFORE, it is respectfully requested that this Honorable Court enter a Protective Order, such that the deposition of Mark T. Renehan be scheduled for a date in July, 2011 or thereafter based on the availability of counsel for Plaintiff and all Defendants.

Respectfully submitted,

THOMAS, THOMAS & HAFFER, LLP

*James J. Dodd-o*

BY:

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James J. Dodd-o, Esquire  
Attorneys for Defendant  
Mark T. Renehan

Dated: 06/15/11  
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